IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.28007 of 2008
HARIHAR RAI & ANR
Versus
STATE OF BIHAR
with

Cr.Misc. No.28992 of 2008
MUNSI RAI
Versus
STATE OF BIHAR
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2 14/08/2008 Heard learned counsel for the petitioners and learned counsel representing the State.

Above noted applications arise out of one occurrence i.e. Bachhwara P.S. Case No. 12 of 2008 as such they are being heard together and disposed of by this common order.

The petitioners seek bail in a case registered under sections 302/34, 120 B of the Indian Penal Code and sections 25(1-B)A, 26, 27 and 35 of the Arms Act.

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Allegation is that the informant's son Rajan was fired upon and killed by Yogendra @ Karia.

Submission is that the allegation is specific against one person and no other person is connected with the killing. Motive of false implication is land dispute from before.

Learned counsel for the informant submits that the occurrence was committed in furtherance of common intention of all the accused persons including the petitioners who have instigated a juvenile boy to commit murder. The informant was having land dispute so this occurrence was committed.

The fact remains that the assailant has been described and

he is another person.

Considering the facts and circumstances of the case, the petitioners Harihar Rai and Dashrath Rai of Cr. Misc. No. 28007 of 2008 and the petitioner Munsi Rai of Cr. Misc. No. 28992 of 2008 are directed to be released on bail on furnishing of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Begusarai in connection with Bachhwara P.S. Case No. 12 of 2008.

avin. **(Shyam Kishore Sharma, J.)**

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